

SENATE BILL 2303

By Summerville

AN ACT to repeal Chapter 634 of the Private Acts of 1935; as amended by Chapter 540 of the Private Acts of 1937; Chapter 269 of the Private Acts of 1937; Chapter 195 of the Private Acts of 1943; Chapter 267 of the Private Acts of 1949; Chapter 372 of the Private Acts of 1955; Chapter 28 of the Private Acts of 1959; Chapter 150 of the Private Acts of 1967; Chapter 182 of the Private Acts of 1967; Chapter 187 of the Private Acts of 1969; Chapter 286 of the Private Acts of 1972; Chapter 33 of the Private Acts of 1993, and any other acts amendatory thereto, relative to the Humphreys County Highway Department, and to provide for the administration of the department and the selection and tenure of the officials in charge of the department.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 634 of the Private Acts of 1935, as amended by Chapter 540 of the Private Acts of 1937, Chapter 269 of the Private Acts of 1937, Chapter 195 of the Private Acts of 1943, Chapter 267 of the Private Acts of 1949, Chapter 372 of the Private Acts of 1955, Chapter 28 of the Private Acts of 1959, Chapter 150 of the Private Acts of 1967, Chapter 182 of the Private Acts of 1967, Chapter 187 of the Private Acts of 1969, Chapter 286 of the Private Acts of 1972, Chapter 33 of the Private Acts of 1993, and any other acts amendatory thereto, is hereby repealed.

SECTION 2. For the purpose of providing an efficient system of roads, highways, and bridges and the building, construction, reconstruction, maintenance and repair of roads, highways, and bridges in Humphreys County, Tennessee, the office of County Road Supervisor for the County is hereby created.

SECTION 3. The County Road Supervisor shall be deemed to be the chief administrative officer of the highway department, which builds and maintains the roads of the

county in accordance with the County Uniform Highway Law, codified at Tennessee Code Annotated, Title 54, Chapter 7, Parts 1 and 2, as amended from time to time. The County Road Supervisor shall have the qualifications, term of office, duties, powers, authority and minimum compensation as provided by the County Uniform Highway Law and shall be subject to the same limitations, conditions, prohibitions and punishments as provided in the aforesaid County Uniform Highway Law. Vacancies in the office of County Road Supervisor shall be filled in accordance with Tennessee Code Annotated, Section 54-7-107 and all other applicable law. The County Road Supervisor in office on the effective date of this act shall continue to serve until the expiration of his term. At the August election in 2012, and every four (4) years thereafter, the County Road Supervisor shall be elected by a majority of the qualified voters of Humphreys County.

SECTION 4. The County Road Supervisor shall be responsible for proposing a budget for the highway department, for maintaining the inventory of the highway department, for signing all contracts on behalf of the highway department, and for making all purchases for the highway department, except that all purchases and contracts of ten thousand dollars (\$10,000) or more must be approved by a majority of the County Legislative Body. The County Road Supervisor shall have the authority to make expenditures from the highway fund and to issue warrants drawn against the road fund of Humphreys County under his signature. All expenditures shall conform to the budget of the Humphreys County Highway Department as approved by the County Legislative Body. In performing these duties, the County Road Supervisor shall conform to all appropriate provisions of state law, including the County Uniform Highway Law, and to the appropriate local acts or resolutions. Should Humphreys County adopt some form of centralized purchasing pursuant to a local option general law or private act in the future, the provisions of this act as they relate to purchasing by the highway department shall be superseded by such act.

SECTION 5. All laws or parts of laws in conflict herewith are hereby repealed. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect

without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Humphreys County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body and certified to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.